

EXPLANATION OF REASONS FOR AMENDMENT TO THE CALIFORNIA HOUSING FINANCE AGENCY CONFLICT OF INTEREST CODE

The California Housing Finance Agency ("Agency") is amending its conflict of interest code to: (1) modify provisions of the code; (2) revise disclosure categories; (3) include new positions as designated employees; (4) revise the titles of existing positions; and, (5) delete titles of positions that have been reclassified, are not being utilized by the Agency, or are no longer "designated employees." The specific amendments and an explanation of each amendment are as follows.

1. MODIFY PROVISIONS OF THE CODE

Category 1 – Interests in Real Property

Add descriptor; minor clean-up changes.

Assigned to designated employees whose decision-making includes real property.

Category 2 – Full Disclosure (excluding interests in real property)

Add descriptor; itemize "person or entity"; add "sources that are of the type that, within the previous two years, have contracted with the Agency to provide leased facilities, supplies, materials, machinery, equipment, or services, including training and consulting services, to the Agency, or have otherwise done business with the Agency" (*i.e.*, general procurement); change "information technology company" to "sources that manufacture, distribute, supply, or install computer hardware or software of the type utilized by the Agency, as well as entities providing computer consultant services to the Agency" (*i.e.*, information technology); limit reportable law firms.

Assigned to designated employees whose decision-making affects a wide range of interests (including general procurement and information technology), but does not include real property.

Category 3 – General Procurement

Add descriptor; minor clean-up changes; addition of leased facilities; exemplify services.

Assigned to designated employees whose decision-making is limited to procurement of a general nature of services, supplies, materials, machinery, equipment, or leased facilities.¹

Category 4 – Information Technology

New category.

Assigned to designated employees (typically information technology staff) whose decision-making is limited to procurement of computer hardware, software and consultant services.²

¹ Category 3 is also subsumed in category 2. Accordingly, a filer in category 2 makes a full disclosure, including general procurement; whereas, a filer in Category 3 makes a limited disclosure.

² Category 4 is also subsumed in category 2. Accordingly, a filer in category 2 makes a full disclosure, including information technology; whereas, a filer in category 4 makes a limited disclosure.

2. REVISE DISCLOSURE CATEGORIES

Board of Directors

Revise “*Board Member (All members of the Board other than the State Treasurer)*” by deleting category 3, which is subsumed in category 2; position’s disclosure requirements are unchanged.

Executive

Revise “*Executive Director,*” “*Chief Deputy Director,*” and “*Director of Legislation*” by deleting category 3, which is subsumed in category 2; positions’ disclosure requirements are unchanged.

Administration

Revise “*Director of Administration*” by deleting category 3, which is subsumed in category 2; position’s disclosure requirements are unchanged.

Revise “*Staff Services Manager (all classes and all levels)*” by deleting category 3, which is subsumed in category 2, and assigning categories 1 and 2; this position makes or participates in making decisions, or influences decisions, which may foreseeably have a material financial effect on any financial interest, and affects a wide range of interests, including real property.

Information Technology

Revise “*Chief Information Officer*” by deleting category 3, which is subsumed in category 2; position’s disclosure requirements are unchanged.

Revise “*Staff Information Systems Analyst (Specialist) (Technical Support & Procurement Administration)*” by deleting category 3, and assigning category 4; this position makes or participates in making of decisions, or influences decisions, which may foreseeably have a material financial effect on any financial interest, but affects a narrow range of interests, limited to procurement of computer hardware, software and consultant services.

Marketing

Revise “*Director of Marketing*” by deleting category 3, which is subsumed in category 2; position’s disclosure requirements are unchanged.

Legal

Revise “*General Counsel*” and “*Staff Counsel (all classes and all levels)*” by deleting category 3, which is subsumed in category 2; positions’ disclosure requirements are unchanged.

Financing

Revise “*Director of Financing,*” “*Risk Manager,*” “*Housing Finance Chief (all classes),*” “*Financing Officer,*” and “*Financing Specialist*” by deleting category 3, which is subsumed in category 2; positions’ disclosure requirements are unchanged.

Fiscal Services

Revise “Comptroller,” “*Accounting Administrator III*,” and “*Housing Finance Officer (all classes)*” by deleting category 3, which is subsumed in category 2; positions’ disclosure requirements are unchanged.

Homeownership

Revise “*Director of Homeownership*,” “*Housing Finance Chief (all classes)*,” and “*Housing Finance Officer (all classes)*” by deleting category 3, which is subsumed in category 2; positions’ disclosure requirements are unchanged.

Multifamily

Revise “*Director of Multifamily Programs*,” “*Deputy Program Director*,” “*Housing Finance Chief (all classes)*,” “*Supervising Design Officer*,” “*Senior Design Officer*,” “*Senior Housing Construction Inspector*,” “*Housing Finance Officer (all classes)*,” and “*Chief, Special Lending Programs (CEA II)*” by deleting category 3, which is subsumed in category 2; positions’ disclosure requirements are unchanged.

Asset Management

Revise “*Deputy Director of Asset Management*,” “*Housing Finance Chief (all classes)*,” and “*Housing Finance Officer (all classes)*” by deleting category 3, which is subsumed in category 2; positions’ disclosure requirements are unchanged.

Mortgage Insurance Services

Revise “*Director of Mortgage Insurance*,” “*Housing Finance Chief (all classes)*,” “*Housing Finance Officer (all classes)*,” and “*Housing Finance Specialist (all classes)*” by deleting category 3, which is subsumed in category 2; positions’ disclosure requirements are unchanged.

Consultants

Revise “*Consultant*” by deleting category 3, which is subsumed in category 2; position’s disclosure requirements are unchanged.

3. INCLUDE NEW POSITIONS AS DESIGNATED EMPLOYEES

Executive

Add “*Information Security Officer*,” and assign category 2; this position makes or participates in making decisions, or influences decisions, which may foreseeably have a material financial effect on any financial interest, and affects a wide range of interests, but not real property.

Information Technology

Add “*Systems Software Specialist III (Supervisory)*,” and assign category 2; this position makes or participates in making decisions, or influences decisions, which may foreseeably have a material financial effect on any financial interest, and affects a wide range of interests, but not real property.

Add “*Senior Programmer Analyst (Supervisor)*,” and assign category 4; this position makes or participates in making of decisions, or influences decisions, which may foreseeably have a material financial effect on any financial interest, but affects a narrow range of interests, limited to procurement of computer hardware, software and consultant services.

Legal

Add “*Assistant Chief Counsel*,” and assign categories 1 and 2; this position makes or participates in making decisions, or influences decisions, which may foreseeably have a material financial effect on any financial interest, and affects a wide range of interests, including real property.

Financing

Add “*Accounting Administrator III*,” and assign categories 1 and 2; this position makes or participates in making decisions, or influences decisions, which may foreseeably have a material financial effect on any financial interest, and affects a wide range of interests, including real property.

Fiscal Services

Add “*Deputy Comptroller*,” and assign categories 1 and 2; this position makes or participates in making decisions, or influences decisions, which may foreseeably have a material financial effect on any financial interest, and affects a wide range of interests, including real property.

Homeownership

Add “*Deputy Director*,” and assign categories 1 and 2; this position makes or participates in making decisions, or influences decisions, which may foreseeably have a material financial effect on any financial interest, and affects a wide range of interests, including real property.

Mortgage Insurance Services

Add “*Deputy Director*,” and assign categories 1 and 2; this position makes or participates in making decisions, or influences decisions, which may foreseeably have a material financial effect on any financial interest, and affects a wide range of interests, including real property.

4. REVISE THE TITLES OF EXISTING POSITIONS

Administration

Revise “*Staff Services Manager I (Business Services)*” to “*Staff Services Manager (all classes and all levels)*”; this position may be any class/level, is not limited to a particular section (e.g., not limited to Business Services section), and has the same disclosure requirements regardless of class/level and section.

Information Technology

Revise “*Staff Information Systems Analyst (Specialist) (Systems Administration)*” to “*Staff Information Systems Analyst (Specialist) (Technical Support & Procurement Administration)*”; this position’s working title is revised, and the duty statement is updated.

Marketing

Revise “*Director of Marketing (Staff Services Manager III)*” to “*Director of Marketing*”; this position is not limited to this class, and has the same disclosure requirements regardless of class.

Legal

Revise “*Staff Counsel IV*” to “*Staff Counsel (all classes and all levels)*”; this position may be any class/level, and has the same disclosure requirements regardless of class/level.

Financing

Revise “*Housing Finance Chief (Financing)*” to “*Housing Finance Chief (all classes)*”; this position is transferrable within Agency divisions, is not limited by class, and has the same disclosure requirements regardless of class and division, if transferred to a division which has identified this position as a designated employee.

Fiscal Services

Revise “*Housing Finance Officer (Single Family)*” to “*Housing Finance Officer (all classes)*”; this position is transferrable within Agency divisions, is not limited by class, and has the same disclosure requirements regardless of class and division, if transferred to a division which has identified this position as a designated employee.

Homeownership

Revise “*Housing Finance Chief (Single Family)*” and “*Housing Finance Officer (Single Family)*” to “*Housing Finance Chief (all classes)*” and “*Housing Finance Officer (all classes)*”; these positions are transferrable within Agency divisions, are not limited by class, and have the same disclosure requirements regardless of class and division, if transferred to a division which has identified these positions as designated employees.

Multifamily

Revise “*Deputy Program Director (Rental)*” to “*Deputy Program Director*”; this position is not limited to this class, and has the same disclosure requirements regardless of class.

Revise “*Housing Finance Chief (Rental)*” and “*Housing Finance Officer (Rental)*” to “*Housing Finance Chief (all classes)*” and “*Housing Finance Officer (all classes)*”; these positions are transferrable within Agency divisions, are not limited by class, and have the same disclosure requirements regardless of class and division, if transferred to a division which has identified these positions as designated employees.

Asset Management

Revise “*Housing Finance Chief (Management Services)*” and “*Housing Finance Officer (Management Services)*” to “*Housing Finance Chief (all classes)*” and “*Housing Finance Officer (all classes)*”; these positions are transferrable within Agency divisions, are not limited by class, and have the same disclosure requirements regardless of class and division, if transferred to a division which has identified these positions as designated employees.

Mortgage Insurance Services

Revise “Director of Insurance” to “Director of Mortgage Insurance”; this position title is revised, and the duty statement is updated, but the disclosure requirements are unchanged.

Revise “*Housing Finance Chief (Single Family)*,” “*Housing Finance Officer (Single Family)*,” and “*Housing Finance Specialist (Single Family)*” to “*Housing Finance Chief (all classes)*,” “*Housing Finance Officer (all classes)*,” and “*Housing Finance Specialist (all classes)*”; these positions are transferrable within Agency divisions, are not limited by class, and have the same disclosure requirements regardless of class and division, if transferred to a division which has identified these positions as designated employees.

5. DELETE TITLES OF POSITIONS THAT HAVE BEEN RECLASSIFIED, ARE NOT BEING UTILIZED BY THE AGENCY, OR ARE NO LONGER “DESIGNATED EMPLOYEES”

Administration

Delete “*Chief of Administrative Services*.” This position is not being utilized by the Agency. The duties of this position are assumed by the “*Staff Services Manager (all classes and all levels)*” as described above.

Delete “*Business Services Officer*.” This position is no longer a designated employee because the Agency has determined that this position neither makes nor participates in the making of decisions, nor influences decisions, which may foreseeably have a material financial effect on any financial interest.

Information Technology

Delete “*Senior Information Systems Analyst (Supervisor)*.” This position is reclassified as “*Systems Software Specialist III (Supervisory)*” as described above.

Legal

Delete “*Staff Counsel III*” and “*Staff Counsel*.” These positions are reclassified as “*Staff Counsel (all classes and all levels)*” as described above.

Fiscal Services

Delete “*Housing Finance Specialist (Single Family)*.” This position is no longer a designated employee because the Agency has determined that this position neither makes nor participates in the making of decisions, nor influences decisions, which may foreseeably have a material financial effect on any financial interest.

Homeownership

Delete “*Housing Finance Specialist (Single Family)*.” This position is no longer a designated employee because the Agency has determined that this position neither makes nor participates in the making of decisions, nor influences decisions, which may foreseeably have a material financial effect on any financial interest.

Multifamily

Delete "*Housing Finance Chief (Construction Services)*" and "Housing Finance Officer (Construction Services)." These positions are reclassified as "Housing Finance Chief (all classes)" and "Housing Finance Officer (all classes)" as described above.

Delete "*Senior Estimator*," "*Housing Construction Inspector*," "*Housing Finance Specialist (Rental) (Preservation Assistance)*," and "*Housing Finance Specialist (Construction Services)*." These positions are no longer designated employees because the Agency has determined that these positions neither make nor participate in the making of decisions, nor influence decisions, which may foreseeably have a material financial effect on any financial interest.

Asset Management

Delete "*Housing Finance Specialist (Management Services)*" and "*Housing Maintenance Inspector*." These positions are no longer designated employees because the Agency has determined that these positions neither make nor participate in the making of decisions, nor influence decisions, which may foreseeably have a material financial effect on any financial interest.

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